

HOUSE No. 663

By Mrs. Poirier of North Attleborough, petition of Elizabeth A. Poirier and others relative to the issuance of permanent restraining orders upon complaints filed by victims of violent crimes and their families. The Judiciary.

The Commonwealth of Massachusetts

PETITION OF:

Elizabeth A. Poirier	Timothy J. Toomey, Jr.
Scott P. Brown	Barbara A. L'Italien
Michael J. Coppola	Christopher G. Fallon
John D. Keenan	James R. Miceli
Denis E. Guyer	Susan C. Fargo
Cory Atkins	

In the Year Two Thousand and Five.

AN ACT PROVIDING FOR RESTRAINING ORDERS FOR VICTIMS OF A CRIME
AND THEIR FAMILY MEMBERS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 Chapter 209A of the General Laws is hereby amended by
- 2 inserting after section 3C the following section:—
- 3 Section 3D. For the purposes of this section, a “victim” shall be
- 4 a person who suffers personal injury or death as the result of a
- 5 crime. A “family member of a victim” shall include the spouse,
- 6 parent, grandparent, stepmother, stepfather, child, grandchild,
- 7 brother, sister, half-brother, half-sister, adopted children of parent
- 8 or spouse’s parents. An “offender” shall be a person who commits
- 9 a crime against a victim.
- 10 A victim or family member of a victim may file a complaint in
- 11 the court requesting an order permanently restraining an offender
- 12 from any contact with the victim or family member of a victim.
- 13 Said proceedings shall be governed by the applicable provisions
- 14 of section three except the relief shall be a permanent restraining
- 15 order.